

**ORDINANCE NO. 2020-006**

**AN ORDINANCE OF THE CITY OF EMINENCE, KENTUCKY AUTHORIZING  
SUNDAY SALES OF ALCOHOLIC BEVERAGES AND AMENDING  
ORDINANCE NUMBERS 2010-004, 2011-010, 2013-015 AND 2016-001**

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY  
COUNCIL OF THE CITY OF EMINENCE, KENTUCKY AS FOLLOWS:**

**WHEREAS**, KRS 244.480 provides that the City Council of Eminence, Kentucky may permit Sunday sales of malt beverages and further regulate what times said beverages may be sold;

**WHEREAS**, KRS 244.290 provides that the City Council of Eminence, Kentucky may permit Sunday sales of distilled spirits and wine and further regulate what times said beverages may be sold;

**WHEREAS**, KRS 243.050 provides that the City Council of Eminence, Kentucky may regulate what times and hours a retail licensee holding a Sunday retail drink license is authorized to remain open and sell distilled spirits and wine by the drink for consumption on the premises;

**WHEREAS**, the City Council of Eminence, Kentucky desires to permit Sunday sales of alcoholic beverages, to include malt beverages, distilled spirits and wine and to further regulate what hours said beverages may be sold on Sundays;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF EMINENCE, KENTUCKY**, that any lawfully permitted establishment authorized to sell for retail purchase or by the drink, malt beverages, wine or distilled spirits may sell said beverages between the hours of 1:00 p.m., Eastern Standard Time and 9:00 p.m., Eastern Standard Time on Sundays in the City of Eminence, Kentucky, the Commonwealth of Kentucky and the United States of America. Said Sunday hours are in addition to all other hours otherwise authorized by ordinance.

**FURTHER**, 2010-004 hereby amends subsection § 111.62 GENERAL, as follows:

§ 111.62 GENERAL

(A) No city licensee shall permit any minor to be present on the retail premises unless food comprises at least 50% of retail sale for said licensee at that premises.

(B) No city licensee shall be permitted to have live music entertainment on retail premises between the hours of ~~10:00~~ 11:00 p.m. and 9:00 a.m. on Monday – Thursday or between ~~11:00~~ 12:01 a.m. and 9:00 a.m. on Friday – Sunday. No city licensees having live music on the premises shall serve any malt beverage, wine, or distilled spirits beverage after 12:00 midnight on any day. All city licensees having live music on the premises shall close and shall not do business between the hours of 12:30 a.m. and 9:00 a.m. Live music shall not be permitted at any time on any property zoned B1 or B2 under the Zoning Ordinance in effect at the time. Live music as defined herein shall include but not be limited to live bands, singers, disc jockeys, juke boxes, musical instruments and music of any other kind and presented in any format or through any device.

(C) All city licensees shall be required to post a copy of this ordinance in a conspicuous location on the retail premises.

~~(D) No alcoholic beverage may be removed from the licensed premises on Sunday.~~

~~(E)~~ (D) No city license shall permit a private party on the license premise except with prior written approval of the City Administrator.

~~(F)~~ (E) Except during authorized operating hours or during an approved private party, no persons other than the licensee and employees thereof shall be present upon the licensee's retail premises (including parking lot).

**FURTHER**, 2016-001 is amended to read as follows:


§111.40 HOURS

It shall be unlawful for any person to sell any alcoholic beverage between the hours of 12:00 midnight and 8:00 am. ~~It shall also be unlawful for any person to sell any alcoholic beverages on Sunday (except as permitted under Section 111.49 hereof) and on Christmas day.~~ Provided, however, it shall not be unlawful for a business selling alcoholic beverages

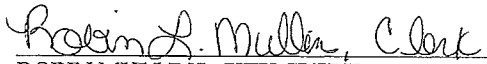
to remain open after 12:00 midnight on New Year's Eve until not later than 1:00 am on January 1st provided that no alcoholic beverages are sold after 12:00 midnight.

All other provisions of the foregoing ordinance not modified hereby remain in full force and effect. This ordinance shall be in effect after it's passed in publication as required by law.

**DONE THIS THE 12th DAY OF OCTOBER, 2020.**

  
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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

ATTEST:

  
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ROBIN MULLINS, CITY CLERK  
CITY OF EMINENCE, KENTUCKY

1<sup>st</sup> Reading: 09/30/2020  
2<sup>nd</sup> reading: 10/12/2020  
Published: 10/21/2020